

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 47636.39.2

GREINER

Application No.: 10/809,030

Examiner: Tran Hahn Van

Filed: March 25, 2004

Group Art Unit: 3637

For: JEWELRY CABINET

AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 8, 2007 please amend the above-identified application as set forth below.

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper. Changes are shown with deletions being designated by strike-through or double-brackets and insertion of new language being underlined.

Remarks begin on page 13 of this paper.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously presented) A jewelry storage system for storing and allowing access to and removal of jewelry pieces, comprising:
 - a jewelry cabinet defining an interior space, the jewelry cabinet comprising:
 - a frame including a top wall, bottom wall, two sidewalls and a back wall, at least one of the two sidewalls including an opening;
 - a door connected to the frame wherein the door extends substantially from the top wall to the bottom wall; and
 - a plurality of jewelry storage elements attached within the interior space;
 - a stand receiving the jewelry cabinet in an upright position so that the back wall of the jewelry cabinet is substantially perpendicular to a horizontal plane; and
 - a peg placed in the opening in the cabinet sidewall such that the peg extends from the sidewall of the cabinet and rests against an exterior surface of the stand to position the cabinet so that the back wall of the cabinet is no longer substantially perpendicular to the horizontal plane but is inclined with respect to the horizontal plane.
2. (Original) The jewelry storage system according to claim 1, further comprising a mirror attached to an exterior surface of the door.
- 3 – 5. Canceled
6. (Previously presented) The jewelry storage system according to claim 1, wherein the plurality of jewelry storage elements includes a bracelet bar and a plurality of shelves attached to one of an interior surface of the frame and the door.

7. (Previously presented) The jewelry storage system according to claim 1, wherein at least one of the plurality of jewelry storage elements is detachable so that it can be relocated within the jewelry cabinet.
8. (Previously presented) The jewelry storage system according to claim 6, wherein the bracelet bar is removably attached to the interior surface of the door, wherein the bracelet bar can be moved and relocated to other locations on an interior surface of the door.
9. (Original) The jewelry storage system according to claim 8, wherein the bracelet bar is removably attached to the interior surface of the door by at least one magnet.
10. (Original) The jewelry storage system according to claim 6, wherein the plurality of shelves include at least one front wall member, the front wall member extending upward from a front surface of the shelves.
11. (Original) The jewelry storage system according to claim 10, wherein the plurality of shelves further include movable dividers that divide a top surface of the shelves.
12. (Previously presented) The jewelry storage system according to claim 1, wherein the plurality of jewelry storage elements include a hook bar, the hook bar having a plurality of hooks and being attached to at least one of an interior surface of the door and the frame.
13. (Original) The jewelry storage system according to claim 12, wherein the plurality of jewelry storage elements further include a pouch, wherein the pouch is located beneath the hook bar and is configured to capture lengthy pieces of jewelry placed on the plurality of hooks.
14. (Previously presented) The jewelry storage system according to claim 1, wherein the plurality of jewelry storage elements include an earring bar, the earring bar having a plurality of openings and being attached to at least one of an interior surface of the door and the frame.

15. (Withdrawn) The jewelry storage system according to claim 1, further comprising a mounting structure on an outer side of the back wall of the box frame configured to permit hanging the jewelry cabinet on a vertical surface.

16. (Withdrawn) The jewelry storage system according to claim 1, wherein the stand includes at least one drawer.

17. (Currently amended) A jewelry storage system for storing and allowing access to and removal of jewelry pieces, comprising:

a jewelry cabinet defining an interior space, the jewelry cabinet comprising:

a frame including a top, bottom wall, ~~two sides~~ a first side, a second side and a back wall;

a door connected to the frame; and

a plurality of jewelry storage elements attached within the interior space; and

a stand receiving the jewelry cabinet, the stand having a first leg ~~the stand~~ including an inside surface adjacent ~~one of the two~~ the first sides of the frame, the stand having a second leg including an inside surface adjacent the second side of the frame and a stationary peg extending from the inside surface of the first leg of the stand towards the inside surface of the second leg of the stand to contact an exterior surface of the frame to incline the back wall of the jewelry cabinet from a position substantially perpendicular to a horizontal plane to a non-perpendicular position with respect to the horizontal plane.

18-20 Canceled

21. (Previously presented) The jewelry storage system according to claim 17, wherein at least one of the plurality of jewelry storage elements may be relocated within the jewelry cabinet.

22. (Previously presented) The jewelry storage system according to claim 17, wherein the plurality of jewelry storage elements includes a bracelet bar and a plurality of shelves attached to one of an interior surface of the frame and the door.

23. (Previously presented) The jewelry storage system according to claim 22, wherein the bracelet bar is removably attached to the interior surface of the door, wherein the bracelet bar can be moved and relocated to other locations on the interior surface of the door.

24. (Original) The jewelry storage system according to claim 23, wherein the bracelet bar is removably attached to the interior surface of the door by at least one magnet.

25. (Original) The jewelry storage system according to claim 22, wherein the plurality of shelves include at least one front wall member, the front wall member extending upward from a front surface of the shelves.

26. (Original) The jewelry storage system according to claim 25, wherein the plurality of shelves further include movable dividers that divide a top surface of the shelves.

27. (Previously presented) The jewelry storage system according to claim 17, wherein the plurality of jewelry storage elements include a plurality of structures for hanging necklaces attached to at least one of an interior surface of the door and the frame.

28. (Original) The jewelry storage system according to claim 27, wherein the plurality of jewelry storage elements further include a pouch, wherein the pouch is located beneath the hook bar and is configured to capture lengthy pieces of jewelry placed on the plurality of hooks.

29. (Previously presented) The jewelry storage system according to claim 17, wherein the plurality of jewelry storage elements include an earring bar, the earring bar having a plurality of openings and being attached to at least one of an interior surface of the door and the frame.

30-51. (Cancelled)

52. (Withdrawn) A jewelry storage system for storing and allowing access to and removal of jewelry pieces in a wall-mounted or free-standing format, comprising:

a jewelry cabinet defining an interior space, the jewelry cabinet comprising:

a box frame including a top wall, bottom wall, two sidewalls and a back wall;

a door connected to the box frame;

a plurality of jewelry storage elements attached within the interior space; and

a mounting structure on an outer side of the back wall of the box frame configured to

permit hanging the jewelry cabinet on a vertical surface; and

a stand for receiving the jewelry cabinet, wherein the jewelry cabinet is configured to be

received by the vertical stand so that the back wall of the jewelry cabinet forms an angle of about 90 degrees from the horizontal.

53. (Withdrawn) The jewelry storage system according to claim 52, further comprising a mirror attached to an exterior surface of the door.

54. (Withdrawn) The jewelry storage system according to claim 53, further comprising an angle adjusting element, the angle adjusting element configured to determine the angle α of the jewelry cabinet, with the angle α being between about 60 and 90 degrees.

55. (Withdrawn) The jewelry storage system according to claim 54, wherein the angle adjusting element is configured to vary the angle α between one of three, four, or five different angles.

56. (Withdrawn) The jewelry storage system according to claim 55, wherein the angle adjusting element is a peg and opening system configured so that when the peg is placed into an opening in one of the jewelry cabinet or stand, the peg holds the jewelry cabinet at the angle α .

57 – 75. Cancelled.

76. (Previously presented) The jewelry storage system of claim 17, wherein the plurality of jewelry storage elements includes a bracelet bar attached to an interior surface of one of the back wall of the frame and the door, via a mounting element, the bracelet bar including a first pole having a first free end and extending from a first side of the mounting element to the first free end, and a second pole having a second free end and extending from a second side of the mounting element to the second free end, the first and second poles extending approximately parallel to the interior surface and in close proximity thereto.

77. (Previously presented) The jewelry storage system of claim 76, wherein the bracelet bar is attached to the interior surface of the door.

78. (Previously presented) The jewelry storage system of claim 76, wherein the plurality of jewelry storage elements further includes a plurality of earring bars disposed above the bracelet bar and attached to the interior surface via a first vertical element and a second vertical element, each of the plurality of earring bars extending between the first vertical element and the second vertical elements, and each of the plurality of earring bars including a plurality of slits disposed between the first and second vertical elements.

79. (Previously presented) The jewelry storage system of claim 76, wherein the plurality of jewelry storage elements further includes a plurality of hooks attached to the interior surface, being disposed below the bracelet bar.

80. Cancelled.

81. (Previously presented) The jewelry storage system of claim 6, wherein the plurality of jewelry storage elements further includes a plurality of earring bars disposed above the bracelet bar and attached to the interior surface of the door via a first vertical element and a second vertical element, each of the plurality of earring bars extending between the first vertical element

and the second vertical elements, and each of the plurality of earring bars including a plurality of slits disposed between the first and second vertical elements.

82 – 86. Cancelled.

87. (Previously presented) The jewelry storage system of claim 1 wherein the plurality of jewelry storage elements includes a ring storage element comprising a plurality of slits for receiving rings.

88. (Previously presented) The jewelry storage system of claim 17 wherein the plurality of jewelry storage elements includes a ring storage element comprising a plurality of slits for receiving rings.

89. (Previously presented) The jewelry storage system of claim 1 wherein at least a portion of the interior space of the jewelry cabinet is lined with antitarnish cloth.

90. (Previously presented) The jewelry storage system of claim 17 wherein at least a portion of the interior space of the jewelry cabinet is lined with antitarnish cloth.

91 – 97. Cancelled.

98. (Previously Presented) The jewelry storage system of claim 6, wherein the bracelet bar is permanently attached.

99. (Previously Presented) The jewelry storage system of claim 22, wherein the bracelet bar is permanently attached.

100. (Currently amended) The jewelry storage system of claim ~~1~~ 17, further comprising a mirror attached to an exterior surface of the door.

101. (Cancelled)

102. (Previously Presented) The jewelry storage system of claim 17, further comprising a mirror attached to an exterior surface of the door.

103-105. (Cancelled)

106. (Previously Presented) The jewelry storage system of claim 1, wherein the plurality of jewelry storage elements includes a bracelet bar attached to an interior surface of one of the back wall of the frame and the door, via a mounting element, the bracelet bar including a first pole having a first free end and extending from a first side of the mounting element to the first free end, and a second pole having a second free end and extending from a second side of the mounting element to the second free end, the first and second poles extending approximately parallel to the interior surface and in close proximity thereto.

107. (Previously Presented) The jewelry storage system of claim 106, wherein the bracelet bar is attached to the interior surface of the door.

108. (Previously Presented) The jewelry storage system of claim 106, wherein the plurality of jewelry storage elements further includes a plurality of earring bars disposed above the bracelet bar and attached to the interior surface via a first vertical element and a second vertical element, each of the plurality of earring bars extending between the first vertical element and the second vertical elements, and each of the plurality of earring bars including a plurality of slits disposed between the first and second vertical elements.

109. (Previously Presented) The jewelry storage system of claim 106, wherein the plurality of jewelry storage elements further includes a plurality of hooks attached to the interior surface, being disposed below the bracelet bar.

110. (Previously Presented) The jewelry storage system of claim 87 wherein the ring storage element is bordered by the two sides of the frame.

111. (Currently amended) The jewelry storage system of claim ~~87~~ 88 wherein the ring storage element is bordered by the two sides of the frame.

112. (Previously Presented) The jewelry storage system of claim 12 further comprising a bracelet bar wherein the plurality of hooks is attached to the interior surface of the door below the bracelet bar.

113. (Previously Presented) The jewelry storage system of claim 12 further comprising a plurality of earring bars attached to an interior surface of the door via a first vertical element and a second vertical element, wherein the plurality of hooks is attached to the interior surface of the door below the plurality of earring bars.

114. (Currently amended) A jewelry storage system for storing and allowing access to and removal of jewelry pieces, comprising:

a jewelry cabinet defining an interior space, the jewelry cabinet comprising:

a frame including a top, bottom wall, ~~two sides~~ a first side, a second side and a back wall;

a door connected to the frame; and

a plurality of jewelry storage elements attached within the interior space; and

a stand having a first leg and a second leg both said first and second legs extending substantially perpendicular to a horizontal plane, the stand receiving the jewelry

cabinet between the first and second legs and coupling the jewelry cabinet to the first and second legs; and

a stationary peg extending from at least an interior surface of one of the first and second legs to contact an exterior surface of the frame to incline the back wall of the jewelry cabinet from a position substantially perpendicular to a horizontal plane to a non-perpendicular position with respect to the horizontal plane.

Please add new claims 115-116 as follows:

115. (New) A jewelry storage system for storing and allowing access to and removal of jewelry pieces, comprising:

a jewelry cabinet defining an interior space, the jewelry cabinet comprising:

a frame including a top, bottom wall, a first side, a second side and a back wall;
a door connected to the frame; and

a stand having a first leg and a second leg both said first and second legs extending substantially perpendicular to a horizontal plane, the stand receiving the jewelry cabinet between the first and second legs and coupling the jewelry cabinet to the first and second legs, wherein the jewelry cabinet can be rotated from an upright position where the back wall of the jewelry cabinet is substantially perpendicular to a horizontal plane to a tilted position where the backwall of the jewelry cabinet is in a non-perpendicular position with respect to the horizontal plane, wherein the jewelry cabinet further comprises a ring storage element located in the jewelry cabinet which holds rings securely in the cabinet both in its upright and tilted position.

116. (New) A jewelry storage system for storing and allowing access to and removal of jewelry pieces, comprising:

a jewelry cabinet defining an interior space, the jewelry cabinet comprising:

a frame including a top, bottom wall, a first side, a second side and a back wall;
a door connected to the frame; and

a stand having a first leg and a second leg both said first and second legs extending substantially perpendicular to a horizontal plane, the stand receiving the jewelry cabinet between the first and second legs and coupling the jewelry cabinet to the first and second legs, wherein the jewelry cabinet can be rotated from an upright position where the back wall of the jewelry cabinet is substantially perpendicular to a horizontal plane to a tilted position where the backwall of the jewelry cabinet is in a non-perpendicular position with respect to the horizontal plane, wherein the jewelry cabinet further comprises plurality of earring bars attached to an interior surface of the door via a first vertical element and a second vertical element the earring bars extending coupled to the first and second vertical bars and extending therebetween to holds earrings securely in the cabinet both in its upright and tilted position.

REMARKS

This communication responds to the Office Action mailed August 8, 2007 for the application captioned above. By this amendment, claims 17, 100, 111 and 114 are amended. New claims 115-116 have been added. No new matter has been added as a result of this amendment. After entry of this amendment, claims 1, 2, 6-14, 17, 21-29, 76-79, 81, 87-90, 98-100, 102 and 106-116 are currently pending in the application. The following remarks are respectfully submitted.

Claims 2, 100, 110 and 111 are objected to because of informalities. Claims 100 and 111 have been amended and are believed to correct these informalities. Applicants respectfully requests withdrawal of the objection.

Claims 17, 22, 25, 27, 90, 99, 102 and 114 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,681,100 to Powell in view of U.S. Pat No. 5,141,188 to DeBlasi et al. Independent claims 17 and 114 have been amended to better clarify the invention. Applicant believes the amendments render the rejection moot and respectfully request that the Examiner withdraw the rejection.

Claim 17 calls for, inter alia, a jewelry cabinet having a first side and a second side and a stand receiving the jewelry cabinet. The stand has a first leg including an inside surface adjacent the first side of the frame and a second leg including an inside surface adjacent the second side of the frame and a stationary peg extending from the inside surface of the firsts leg towards the inside surface of the second leg of the stand to contact an exterior surface of the frame to incline the back wall of the jewelry cabinet. Claim 114 has similar limitations.

As the Examiner correctly points out and admits, Powell does not disclose a peg extending from the inside surface of the stand to contact an exterior surface of the frame to incline the backwall of the cabinet. It is the Examiner's opinion that DeBlasi et al. provide this missing teaching. Applicant respectfully disagrees.

DeBlasi et al. disclose a nail polish caddy 10 having a holding frame 20 and a nail polish bottle holder 30. The frame 20 has a base 21 which is planar to enable it to be seated steadily on a flat surface such as a table. At right angles to the base 21 are first 22 and second 23 walls extending vertically to form in conjunction with the base 21 a "U." Disposed on the first and second walls 22 and 23 directly below each socket 26 is a passage 27 inserted in which is a spring 28 and arresting ball 29 means, the ball being urged by the spring outward of the passage. The nail polish holder 30 is a rectangular tube and has an open top 31 and third 32 and fourth 33 straight-sided exterior walls which abut snugly against the frame walls. Disposed a distance below the axle on the exterior surface of the third and fourth wall 32 and 33 are first hemispherical detents 38 to receive the arresting balls when they are urged by the springs into the detents. Radially disposed rearward on the third and fourth walls 32 and 33 are a multiplicity of detents 39 equally spaced apart such that the nail polish bottle holder will be held firmly at a multiplicity of angles by the arresting ball and spring means as shown in Figure 2 of DeBlasi et al.

DeBlasi et al. do not disclose a stationary peg extending from the inside surface of a first leg of a stand towards the inside of a second leg of the stand as called for by claim 17. The specification of the subject application discloses with reference to Figures 25 and 26 that the pegs may be placed in openings 455 on the inside surface of the stand 430 rather than the openings of the cabinet. Figures 25 and 26 show four openings 455 in which the peg can be placed to facilitate adjustment of the mirror. Thus the angle that the back of the jewelry cabinet is tilted will depend on which hole 455 the peg is placed. When placed in a hole the peg is stationary, it does not change its position. In order to change the tilt of the cabinet, the peg must be removed from one hole and placed in a different hole. This is not the same as the arresting ball and spring means of DeBlasi et al. which merely moves the arresting ball in and out of a detent formed on the exterior of the nail polish bottle holder. It is not believed that such an arresting ball and spring arrangement could not be successfully used for a jewelry cabinet considering the weight of the cabinet, in particular when it is filled with jewelry as intended.

Claims 22, 25, 27, 90, 99 and 102 are dependent on claim 17, either directly or indirectly, and, thus, are believed to be patentable for at least the same reasons. The remaining rejections of

these dependent claims are not explicitly dealt with since they are believed to be moot in view of the amendments made to independent claims 1 and 17.

Claims 21, 23, 26, 28-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Powell in view of Ferenzi and Mech. Claims 21, 23, 26 and 28 dependent, either directly or indirectly, on independent claim 17 and is thus believed to be patentable for at least the same reasons given with reference to claim 17.

Claims 24 and 88 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Powell in view of Ovadia. Claims 24 and 88 are dependent, either directly or indirectly, on independent claim 17 and are thus believed to be patentable for at least the same reasons already given with reference to claim 17.

Claims 76-77 and 79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Powell in view of Greiner. Claims 76-77 and 79 are dependent, either directly or indirectly, on independent claim 17 and are thus believed to be patentable for at least the same reasons given with reference to claim 17.

Claim 78 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Powell in view of Ferenzi and Mech. Claim 78 is dependent indirectly on claim 17 and is thus believed to be patentable for at least the same reasons already given with reference to claim 17.

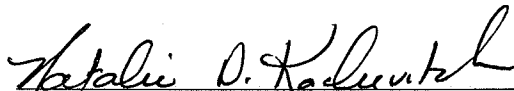
New claims 115-116 have been added by this amendment. These new claims do not present new subject matter. New claims 115-116 are directed to a jewelry cabinet received in a stand that can be rotated from an upright position to a tilted position and has either a ring storage element (claim 1125) or earring bars (claim 116) that can securely hold appropriate jewelry items whether the jewelry cabinet is in its upright or tilted positions. None of the prior art shows such a configured jewelry cabinet that can be tilted and hold rings and earrings securely in both its upright and tilted positions.

Claims 1, 6-14, 81, 87, 89, 98, 106-109 and 112-113 have been indicated as allowed. Applicant thanks the Examiner for the allowance of these claims

It is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned in the event there are any questions concerning the election or if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

Dated October 31, 2007


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